

03-17-05

Receipt
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EXPRESS MAIL NO.: EV380371139US

Date Mailed: March 15, 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Benjamin R. YERXA, *et. al.*

Appl. No.: 10/041,826

Filed: January 3, 2002

For: **METHOD OF ENHANCING
DRAINAGE OF LACRIMAL
SYSTEM WITH PURINERGIC
RECEPTOR AGONISTS**

Art Unit: 1623

Examiner: Lewis, Patrick T.

Atty. Docket: 03678.0023.CNUS03

Confirmation No.: 5357

Request for Corrected Official Filing Receipt

**Office of Initial Patent Examination's
Customer Service Center
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

Applicants hereby requests that a corrected Official Filing Receipt be issued and sent to the undersigned representative. Specifically, the following corrections to the Official Filing Receipt are requested:

Title

**METHOD OF ~~TREATING DRY EYE DISEASE~~ ENHANCING DRAINAGE OF
LACRIMAL SYSTEM WITH PURINERGIC RECEPTOR AGONISTS**

Applicant(s)

Janet L. Rideout, ~~Raleigh, NC~~; Fuquay-Varina, NC;

A copy of redlined Filing Receipt with the changes noted is attached.

The title was previously amended in the Response to Office Action submitted December 15, 2003. A copy of the Response to Office Action is enclosed.

A Copy of Communication / Supplemental Oath, which shows Dr. Rideout's current residence is also enclosed.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 08-3038, referencing docket number 03678.0023.CNUS03.

Respectfully submitted,

Date: March 15, 2005



Viola T. Kung (Reg. No. 41,131)

Enclosures

HOWREY SIMON ARNOLD & WHITE, LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
Ph. (650) 463-8181
Fax (650) 463-8400

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
10/041,826	01/03/2002	1623	740	03678.0023.CNUS03	2	15	2

CONFIRMATION NO. 5357

FILING RECEIPT



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HOWREY SIMON ARNOLD & WHITE, LLP
BOX 34
301 RAVENSWOOD AVE.
MENLO PARK, CA 94025

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Date Mailed: 02/19/2002

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Benjamin R. Yerxa, Raleigh, NC;
Karla M. Jacobus, Cary, NC;
William Pendergast, Durham, NC;
Janet L. Rideout, Raleigh, NC; *Fuquay - Varina, NC;*

Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/171,169 10/14/1998
WHICH IS A 371 OF PCT/US98/02701 02/06/1998
AND A CIP OF 08/797,472 02/06/1997 PAT 5,900,407

Foreign Applications

If Required, Foreign Filing License Granted 02/19/2002

Projected Publication Date: 05/30/2002

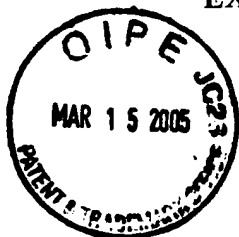
Non-Publication Request: No

Early Publication Request: No

Title

enhancing drainage of lacrimal system
Method of treating dry eye disease with purinergic receptor agonistsDOCKETED *6/1/02* 02/27/02
16m

EXPRESS MAIL NO. L615430674US



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Benjamin R. YERXA, *et. al.*

Appl. No.: 10/041,826

Filed: January 3, 2002

For: **METHOD OF ENHANCING
DRAINAGE OF LACRIMAL
SYSTEM WITH PURINERGIC
RECEPTOR AGONISTS (AS
AMENDED)**

Art Unit: 1623

Examiner: Lewis, Patrick T.

Atty. Docket: 03678.0023.CNUS03

Confirmation No.: 5357

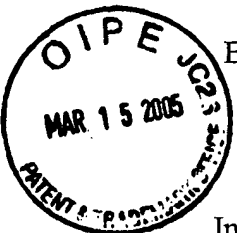
COPY

Response to Office Action

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated **September 22, 2003**, and is submitted on or before the due date of **December 22, 2003**. Applicants believe that there is no fee due associated with this matter, however, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 08-3038 referencing Attorney Docket No. 03678.0023.CNUS03.



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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COMMUNICATION

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

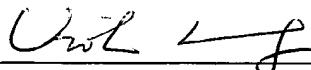
Sir:

Enclosed is the Original Supplemental Inventor's Declaration for the above-identified application.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, including fees under §1.17; or credit any overpayment, to our Deposit Account No. 08-3038 referencing Atty. Dkt. No. 03678.0023.CNUS03.

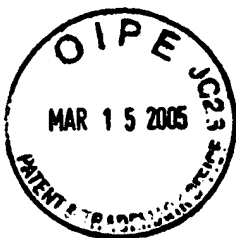
Respectfully submitted,

Date: March 15, 2005



Viola T. Kung (Reg. No. 41,131)

HOWREY SIMON ARNOLD & WHITE, LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042
Ph. (650) 463-8181
Fax (650) 463-8400



Supplemental Inventors' Declaration

Docket Number: 03678.0023.CNUS03

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or the below named inventors are the original, first and joint inventors (if more than one name is listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD OF ENHANCING DRAINAGE OF LACRIMAL SYSTEMS WITH PURINERGIC RECEPTOR AGONISTS.

the specification of which

☐ is attached hereto

OR

☒ was filed on January 3, 2002 as United States Application Number 10/041.826;
and was amended on 12/15/2003, 06/17/2004 and 01/11/2005 (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. § 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation in part application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or (f), or § 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below any foreign application for patent or inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Prior Foreign Application No.	Country	Foreign Filing Date (MM/DD/YYYY)
PCT/US98/02701	PCT	February 6, 1998

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below.

(Application No.)

(Filing Date)

(Application No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s), or under § 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not

disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. § 112.

<u>09/171,169</u>	<u>October 14, 1998</u>	<u>Pending</u>
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)

<u>08/797,472</u>	<u>February 6, 1997</u>	<u>Patented</u>
(Application No.)	(Filing Date)	(Status - patented, pending, abandoned)


Send Correspondence to:

Customer Number: 45605
HOWREY SIMON ARNOLD & WHITE, LLP
2941 Fairview Park Drive, Box 7
Falls Church, VA 22042

Direct Telephone Calls to:

Viola T. Kung
(650)463-8181

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor Benjamin R. YERXA	
Inventor's signature 	Date Feb 21, 2005
Residence 3119 Birnamwood Road, Raleigh, North Carolina 27607	
Citizenship USA	
Mailing Address Same as Above	

Full name of second inventor Karla M. JACOBUS	
Second inventor's signature <i>Karla M. Jacobus</i>	Date <i>3 March 2005</i>
Residence 104 Glensford Way, Cary, North Carolina 27513	
Citizenship USA	
Mailing Address Same as Above	
Full name of third inventor William PENDERGAST	
Third inventor's signature <i>William Pendergast</i>	Date <i>10th March 2005</i>
Residence 5816 Williamsburg Way, Durham, North Carolina 27713	
Citizenship UK	
Mailing Address Same as Above	
Full name of fourth inventor Janet L. RIDEOUT	
Fourth inventor's signature <i>Janet L. Rideout</i>	Date <i>Feb. 22, 2005</i>
Residence 7801 Twin Pines Way, Fuquay-Varina, North Carolina 27526	
Citizenship USA	
Mailing Address Same as Above	